

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

11 KEVIN MORIN, ) Case No. 07cv885-BEN (BLM)  
12 Plaintiff, )  
13 v. ) **ORDER RESETTING EARLY NEUTRAL  
14 ABERCROMBIE & FITCH STORES, ) EVALUATION CONFERENCE**  
15 INC., doing business as Ruehl )  
16 No. 925, and DOES 1-50, )  
17 inclusive, )  
18 Defendants. )  
19 \_\_\_\_\_ )  
20 On May 21, 2007, Krista Cabrera, counsel for Defendants, lodged in  
21 Chambers a written request to continue the Early Neutral Evaluation  
22 Conference currently scheduled for June 22, 2007. In support, counsel  
23 represents that Fred Kosmo, Defendants' lead trial counsel, is unable  
24 to attend the Early Neutral Evaluation Conference on that date because  
25 his son is undergoing major surgery immediately prior to the conference,  
26 and will be in the hospital recovering on June 22, 2007. Counsel also  
27 represents that Plaintiff's counsel has no objection to the continuance,  
28 and suggests that the Early Neutral Evaluation Conference be rescheduled  
to June 29, 2007.

1       The Court finds it inappropriate to convene an Early Neutral  
2 Evaluation Conference unless all counsel and parties are available to  
3 appear in person. Accordingly, the Early Neutral Evaluation Conference  
4 currently set for June 22, 2007 at 9:30 a.m. is hereby continued to June  
5 29, 2007 at 1:30 p.m. All other requirements set forth in the Court's  
6 Notice and Order Setting Early Neutral Evaluation Conference [Doc. No.  
7 2], including the requirement that counsel timely submit confidential  
8 Early Neutral Evaluation statements, remain in effect. Failure of  
9 required counsel to comply may result in the imposition of sanctions.

10      **IT IS SO ORDERED.**

11  
12      Dated: May 22, 2007



13      BARBARA L. MAJOR  
14      United States Magistrate Judge

15      COPY TO:

16      HONORABLE ROGER T. BENITEZ  
17      U.S. DISTRICT JUDGE

18      ALL COUNSEL

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